



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 17, 2023

VIA ECF

Hon. Valerie E. Caproni
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/19/2023

Re: *Su v. Houghton, et al.*, No. 23 Civ. 4070 (VEC)

Dear Judge Caproni:

This Office represents the government in the above-referenced action, in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate an Adjustment of Status Application (Form I-485). On behalf of the government, and together with plaintiff, I write respectfully to request a sixty-day extension of the time to respond to the complaint (*i.e.*, from July 21 to September 19, 2023), and that the initial pretrial conference presently scheduled for July 28, 2023, be rescheduled to the week of September 25, 2023, or a time thereafter that is convenient for the Court (with a corresponding extension of the July 20 deadline for the parties’ pre-conference submissions, *see* Notice of Initial Pretrial Conference, ECF No. 11, at ¶¶ 2, 4).

The extension is necessary because USCIS is in the process of evaluating the Form I-485 and needs additional time to consider next steps, which may include a Request for Evidence, Notice of Intent to Deny, or other adjudicatory action, and USCIS’s next steps could resolve this matter without the Court’s intervention. This is the parties’ first request for an extension of the deadline to respond to the complaint or an adjournment of the pretrial conference and pre-conference submissions.

The parties thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: s/ Joseph A. Pantoja
JOSEPH A. PANTOJA
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Telephone: (212) 637-2785
E-mail: joseph.pantoja@usdoj.gov
Attorney for Defendants

cc: Counsel of record (via ECF)

Application GRANTED. The deadline for Defendant to respond to the complaint is ADJOURNED to **September 19, 2023**. The parties' Initial Pretrial Conference, originally scheduled for July 28, 2023, is hereby ADJOURNED to **Monday, September 25, 2023 at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties' joint submission in advance of the conference is due no later than **September 18, 2023**.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni".

Date: 7/19/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE